IN THE UNITED STATES PATENT AND TRADEMARK OFFICE Patent application						
of						
5	Inventor(s)					
for	Title of invention	-				
the specification of which is bein	ing transmitted herewith	_				
	OR					
n re application of: NEWTON, I	Edward R.					

Application No.: 10 / 672,355 Group No.: 3632

Filed: September 29, 2003 Examiner:

DEVICE FOR HOLDING MULTIPLE BEVERAGE CONTAINERS

Assistant Commissioner for Patents Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10* (When using Express Mail, the Express Mail label number is mandatory; Express Mail certification is optional.) I hereby certify that, on the date shown below, this correspondence is being: MAILING deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 37 C.F.R. § 1.8(a) 37 C.F.R. § 1.10° with sufficient postage as first class mail. □ as "Express Mail Post Office to Addressee" Mailing Label No. . _(mandatory.) TRANSMISSION ☐ transmitted by facsimile to the Patent and Trademark Office. Signature FEB 1 9 2004 John S. Egbert (type or print name of person certifying)

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"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

(Information Disclosure Statement [6-1]-page 1 of __

- NOTE: "An information disclosure statement shall be considered by the Office if filed by the applicant:

 (1) Within three months of the filing date of a national application;

 (2) Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application; or
 - (3) Before the mailing date of a first Office action on the merits, whichever event occurs last." 37 C.F.R. § 1.97(b).
- NOTE: "Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section." 37 C.F.R. § 1.56(a).

"Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) each inventor named in the application;
- (2) each attorney or agent who prepares or prosecutes the application; and
- (3) every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application." 37 C.F.R. § 1.56(c).
- NOTE: The "duty as described in § 1.56 will be met so long as the information in question was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98 before issuance of the patent." Notice of January 9, 1992, 1135 O.G. 13 -25 at 17.

WARNING: "No information disclosure statement may be filed in a provisional application." 37 C.F.R. § 1.51(b).

List of Sections Forming Part of This Information Disclosure Statement

The following sections are being submitted for this Information Disclosure Statement:

(check sections forming a part of this statement: discard unused sections and number pages consecutively)

1.	X	Preliminary Statements					
2.	X	FORMS PTO/SB/08A and 08B (formerly FORM PTO-1449)					
3.		Statement as to Information Not Found in Patents or Publications					
4.		Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies Are Submitted or Need Be Submitted					
5.		Cumulative Patents or Publications					
6.	X	Copies of Listed Information Items Accompanying This Statement					
7.		Concise Explanation of Non-English Language Listed Information Items					
		7A. EPO Search Report					
		7B.					
8.		Translation(s) of Non-English Language Documents					
9.	W	Concise Explanation of English Language Listed Information Items (Optional)					
10.	\boxtimes	Identification of Person(s) Making This Information Disclosure Statement					

(complete the following, if appropriate)

Sections	connectively, have been continued as ADDED as a series
MOTE.	, respectively, have been continued on ADDED PAGE(S).
NOTE:	"Once the minimum requirements are met, the examiner has an obligation to consider the information."
	Notice of April 20, 1992 (1138 O.G. 37-41, 37).

Section 1. Preliminary statements

Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of

Complete if Known			
Application Number	10/672,355		
Filing Date	September 29, 2003		
First Named Inventor	NEWTON, Edward R.		
Group Art Unit	3632		
Examiner Name			
Attorney Docket Number	1898-4		

	U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No.1	U.S. Patent	Document Kind Code ² (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		6,520,366		Bradley et al.	02-18-2003	
		6,131,732		Schneider	10-17-2000	
		5,971,167		Finbow	10-26-1999	
		5,971,139		Bradley	10-26-1999	
					 	
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FOREIGN PATENT DOCUMENTS							
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Cite No. ¹	Office ³	Number ⁴	(if known)	Applicant of Cited Document	Cited Document MM-DD-YYYY	Passages or Relevant Figures Appear	T6
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Examiner	Date	
Signature	 Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Section 6. Copies of Listed Information Items Accompanying This Statement

NOTE: 37 C.F.R. 1.98(a)(2) requires that any information disclosure statement filed under § 1.97 shall include: "A legible copy of: (1) Each U.S. and foreign patent; (ii) Each publication or that portion which caused it to be listed; and (iii) All other information or that portion which caused it to be listed, except that no copy of a U.S. patent application need be included . . . "

NOTE: The wording in § 1.98(a)(2)(iii) makes it clear that the requirement to submit a copy of each item of information listed in an information disclosure statement does not apply to the citation of a U.S. patent application. Notice of January 9, 1992, 1135 O.G. 13-25, at 14.

Legible copies of all items listed in Forms PTO/SB/08A and 08B (formerly Form PTO-1449) accompany this information statement.

(complete the following, if applicable)

□ Exception(s) to above:

□ Items in prior application, from which an earlier filing date is claimed for this application, as identified in Section 4.

□ Cumulative patents or publications identified in Section 5.

Section 9. Concise Explanation of English Language Listed Information Items (OPTIONAL)

MOTE: "Applicants may, if they wish, provide a concise explanation of why English-language information is being submitted and how it is understood to be relevant. Concise explanations are helpful to the Office, particularly where documents are lengthy and complex and applicant is aware of a section that is highly relevant to patentability or where a large number of documents are submitted and applicant is aware that one or more are highly relevant to patentability." Notice of April 20, 1992 (1138 O.G. 37-41, 38).

- U.S. Patent No. 6,520,366, issued on February 18, 2003 to Bradley et al., teaches a beverage container holder which includes a single-cup beverage container holder, a dual-cup beverage container holder, a three-cup beverage container holder and four-cup beverage container holder. The container holders are characterized by at least one container cup and a handle attached to the container cup. The handle is hollow and serrated to facilitate the non-rotatable nesting of the handles of two or more of the beverage container holders in either a stored or functional configuration. The various configurations of the container cups on the handles facilitate selective positioning of the container cups of multiple nested beverage container holders so as to enable an individual to carry a selected number of beverages using one hand at the nested handles.
- U.S. Patent No. 6,131,732, issued on October 17, 2000 to Schneider, describes a foam drink tray having improved cup cavities. This tray has a foam base with at least two cup cavities disposed in a top thereof. At least one hand cavity is formed in a top thereof for the retention by a hand. The side wall of each cup cavity is shaped in several different ways. Each side wall surface which contacts the cup or can is chamfered where it meets the top of tray.
- U.S. Patent No. 5,971,167, issued on October 26, 1999 to Finbow, teaches a holder for stemmed drinking vessels. This holder has a base and a bowl connected by a stem. The holder has a support structure and vessel supports are disposed on the support member to support a plurality of vessels with their stems crossed. The support structure is formed symmetrically about an axis to define an interior space for receiving the vessels.
- U.S. Patent No. 5,971,139, issued on October 26, 1999 to Bradley, teaches a food and beverage tray. This tray includes a plate section that has a planar inner section that is surrounded by a raised lip. A cup holder, for holding a beverage container, is attached to the plate section by an intermediate section. A hand grip extends downwardly from the intermediate section. The hand grip is hollow and provides space for tableware and condiments. The hand grip has a plurality of serrations to facilitate gripping the hand grip. A plurality of supports extend downwardly from the plate section to provide additional support to the plate section when the food and beverage tray is placed upon a supporting surface. The supports are placed apart so as to extend downwardly on opposite sides of a person's arm when the food and beverage tray is held.

Section 10. Identification of Person(s) Making This Information Disclosure Statement

The person	on m	naking this statement is			
		(check eac	h applicable item)		
(a)		the inventor(s) who signs	below		
			SIGNATURE OF INVENTOR		
			(type name of inventor who is signing)		
(b)		an individual associated with the filing and prosecution of this application (37 C.F.R. § 1.56(c))			
			SIGNATURE OF INVENTOR		
			(type name of inventor who is signing)		
(c)	X	the practitioner who signs the information:	below on the basis of		
		(check eacl	n applicable item)		
		☐ supplied by the if	nventor(s).		
			lividual associated with the filing and prosecution a. (37 C.F.R. § 1.56(c))		
		☐ in the practitioner			
0 11	3.0	627	SIGNATURE OF PRACTIFICATIONER		
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